CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	Wayne Kolstad Farms Inc.-Expiring CRP and Tame/Native Rangeland to Agricultural Land Classification
Proposed Implementation Date:	Spring/Summer 2014
Proponent:	Wayne Kolstad Farms Inc., PO Box 536, Chester, MT 59522
Location:	Lease #3251, SW4, Section 1, T30N, R6E-155.80 Acres Lease #3252, N2, Section 12, T30N, R6E-292.40 Acres
County:	Liberty
Trust:	Common Schools

I. TYPE AND PURPOSE OF ACTION

CRP contract #897 containing 445.80 acres expired on 09/30/2014. The lessee, Wayne Kolstad Farms Inc. has requested to break these expiring CRP acres. The CRP acres were not offered for re-enrollment due to their relatively high productivity. The tracts were last farmed in 1988. The estimated acres that will be broke and returned to small grain production is 445.80 acres. Also, an additional 2.40 acres of tame/native pasture are proposed to be broke and placed into small grain production. The remaining 11.60 acres of CRP will not be broke as the CRP contract does not expire until 09/30/2015. Kjar Coulee containing 3.11 acres in Section 1 and 16.00 acres in Section 12 will not be broke. The lessee plans to spray the CRP and tame/native pasture out during the spring/summer of 2014 and then direct seed it to winter wheat in the fall of 2014.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

DNRC-Surface Owner
Wayne Kolstad Farms Inc., Lessee, Lease #3251 and #3252.
Ryan Rauscher-MFWP
Montana Salinity Control Association
Montana Audubon Society

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

DNRC is not aware of any other agencies with jurisdiction or other permits needed to complete this project.

3. ALTERNATIVES CONSIDERED:

Alternative A (No Action) – Deny Wayne Kolstad Farms Inc. permission to break the expiring CRP and return it to small grain production. Also, deny Wayne Kolstad Farms Inc. permission to break the tame/native pasture and place it into small grain production.

Alternative B (the Proposed action) – Grant Wayne Kolstad Farms Inc. permission to break the expiring CRP and return it to small grain production. Also, grant Wayne Kolstad Farms Inc. permission to break the tame/native pasture and place it into small grain production.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

---

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:
Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

These tracts consist of gently rolling topography. The below table outlines the soil types that will be broke.

Slope	Class	T-Factor	WEG	Estimated WW Yield	Acres	Section
0-4%	3E	5	6	39 bu/acre	22.75	1
0-4%	3E	5	6	39 bu/acre	113.75	12
0-4%	3E	5	6	40 bu/acre	69.00	1
0-4%	3E	5	6	40 bu/acre	70.00	12
0-4%	3E	2	6	38 bu/acre	38.00	1
0-4%	3E	2	6	38 bu/acre	3.00	12
0-4%	4E	5	3	35 bu/acre	26.05	1
0-4%	4E	5	3	35 bu/acre	105.65	12
TOTAL	3E				316.50	
TOTAL	4E				131.70	
TOTAL	BREAK				448.20	

Class 3 soils have severe limitations that restrict the choice of plants and require special conservation practices. Class 4 soils have very severe limitations that restrict the choice of plants or that require very careful management, or both. The letter "e" shows that there is an erosion hazard unless close-growing plant cover is maintained.

The class 3E soils have an expected yield of 38-40 bu/acre for winter wheat are susceptible to wind and water erosion. One of the class 3E soils has a T factor of 2 which is lower than the required rating of 5. These erosion concerns will be mitigated due to the residue produced not being destroyed by the utilization of no-till farming practices. Clearly, the majority of the soils on this tract meet DNRC's land break requirements.

The class 4E soils have an expected yield of 35 bu/acre for winter wheat. The class 4E soils have a WEG of 3 which is lower than the required rating of 4. These erosion concerns will be mitigated due to the residue produced not being destroyed by the utilization of no-till farming practices. Clearly, the majority of the soils on this tract meet DNRC's land break requirements.

Any erosion concerns for these soil types will be mitigated due to the residue produced not being destroyed by the utilization of no-till farming practices. Clearly, the majority of the soils on this tract meet DNRC's land break requirements.

The last noted practice type was CP-2 and CP-10 which is for an existing native reseeding and already established grass. The reason for initial enrollment in CRP is for increased revenue and due to farming difficulties presented by the utilization of mechanical tillage which destroyed the resided produced by small grain production.

Jane Holzer, Montana Salinity Control Association commented, “Break Request State - Lease #3251 and #3252 in Liberty County. There is no evidence of salinity in the 1995 aerial photos in the immediate area, but the leases were already enrolled in CRP. In order to protect the riparian area, MSCA would caution that an adequate acreage of perennial forage be preserved. It is difficult to assess from maps and photos if the small acreages (3.11 and 16) will be wide enough, but try to have a wide expanse on both sides of the ephemeral stream left in perennial forage. This will guard against erosion and contaminants entering the streambed when high rainfall events occur. Once broken, the lessee would have difficulty re-establishing forage in the riparian area.” (See attached E-mail).

These concerns will be addressed by requiring the lessee to leave the area next to the ephemeral stream in perennial forage.

---

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

There are no documented and/or recorded water rights associated with the tracts. Other water quality and/or quantity issues will not be impacted by the proposed action.

---

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

No cumulative effects to air quality are anticipated.

---

7. VEGETATION COVER, QUANTITY AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

The existing CRP vegetation is native and introduced species consisting of primarily crested, intermediate, slender and western wheatgrass. The tracts were last farmed in 1988. The vegetative community will be altered by the reclassification. The conversion of CRP to small grain production will increase the overall productivity of the tract as the current grass stand has very low vigor.

The tame/native pasture contains primarily a mixture of introduced and native species dominated by crested wheatgrass, Sandberg bluegrass, and blue grama. The tame/native pasture is capped by club moss and therefore has very low productivity. Conversion of the tame/native pasture to small grain production will greatly improve the productivity of the site.

A review of Natural Heritage data through the NRIS was conducted and there were no plant species of concern noted or potential species of concern noted on the NRIS survey.

---

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

Any concerns will be somewhat mitigated as the proposed action will remove the permanent vegetative cover, but the residue produced in small grains production will still provide limited cover and food for the area wildlife. FWP did not provide any comments regarding this proposed break.

Converting existing CRP acres to agricultural land will decrease wildlife thermal and hiding cover. This reduction of cover may adversely impact various wildlife species including songbirds, upland game birds, waterfowl, antelope, white tailed deer, and mule deer. Agricultural land may provide a limited food source for wildlife species including deer, antelope, upland game birds and migrating waterfowl. No comments were received from the Montana Audubon Society.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

There are no threatened or endangered species, sensitive habitat types, or other species of special concern associated with the proposed project area. Montana FWP did provide site specific comments regarding wildlife, (see item #8). At this time, no known unique, endangered, fragile or limited environmental resources have been identified within the proposed project area. The project consists of 445.80 acres of CRP and 2.40 acres of tame/native pasture which is only a very small portion of the total uncultivated acres held within Liberty County.

A review of Natural Heritage data through the NRIS was conducted. There were nine animal species of concern and four potential species of concern noted on the NRIS survey: Birds-Baird's Sparrow, Great Blue Heron, Ferruginous Hawk, Chestnut-collared Longspur, Greater Sage-grouse, Loggerhead Shrike, Long-billed Curlew, McCown's Longspur, and Short-eared Owl. Reptiles-Greater Short-horned Lizard. Fish-Brook Stickleback, Brassy Minnow, and Burbot. This particular tract of CRP and native/tame pasture does not contain many, if any of this species. If any are present, they may be dispersed into surrounding permanent cover.

With the use of the USDA-NRCS Conservation Plan, minimum cumulative effects are anticipated.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects to historical, archaeological or paleontological resources.

Patrick Rennie, DNRC archaeologist, was contacted and he stated that due to the CRP being previously farmed, no historical, archaeological, or paleontological resources would be present. Tony Nickol, Land Use Specialist, surveyed the tame/native pasture and there were no historic, archaeological, or paleontological sites noted on the tract.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature, or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

Since the fields are currently in CRP and tame/native pasture and the surrounding tracts are all farmed, reclassification as agricultural land will not affect the aesthetics of the area.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

The demand on environmental resources such as land, water, air, or energy will not be affected by the proposed action. The proposed action will not consume resources that are limited in the area. There are no other projects in the area that will affect the proposed project.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

There are no other projects or plans being considered on the tract listed on this EA.

IV. IMPACTS ON THE HUMAN POPULATION

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" If no impacts are identified or the resource is not present.*

14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

The proposed project will not change human safety in the area.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:
Identify how the project would add to or alter these activities.

The reclassification to agricultural land will increase the vegetative productivity of these tracts. The estimated WW yield is 35-40 bu/acre. In a 50-50 crop fallow system economic returns will vary between $20.00/acre to $30.00/acre.

The current CRP payment is $34.87/acre at a 42.83% share, but will not be sustained due to the contract expiring. Converting these acres to cropland, the Common Schools trust would see an increase in revenue. In addition, the Common Schools trust will receive 25% of the FSA Direct Contract Payment (DCP).

The tame/native pasture is currently classified as unsuitable land. The estimated return for small grain production is $20.00 to $30.00/acre. The Common Schools trust will see an estimated return increase of $20.00/acre to $30.00/acre on 2.40 acres of tame/native pasture.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:
Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

The proposed action will not significantly affect long-term employment in the surrounding communities.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:
Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

The proposed action will increase the tax revenue due to the increased revenue generated in small grain production.

18. DEMAND FOR GOVERNMENT SERVICES:
Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

There will be no increases in traffic, no changes in traffic patterns, and no need for additional fire protection, or police services.

There will be no direct or cumulative effects on government services.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:
List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

The proposed action is in compliance with State and County laws. No other management plans are in effect for the area.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:
Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

These tracts of state land are rural and generally have low recreational value. The tracts are legally accessible and the proposed action is not expected to impact general recreational and wilderness activities on these state tracts.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:
Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing

The proposal does not include any changes to housing or developments.

No direct or cumulative effects to population or housing are anticipated.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique, or traditional lifestyles or communities in the vicinity that would be impacted by the proposal.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

The proposed action will not impact the cultural uniqueness or diversity of the area.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The proposed conversion of CRP and tame/native pasture to agricultural land will greatly improve the productivity on the tracts and increase the return to the trust. The current grass stands have lost their vigor and have very low productivity. These tracts were not offered for renewal of the CRP contract due to their relatively high productivity. Therefore, converting this acreage to small grain production will provide the Common Schools trust with an estimated return of between $20 - $30/acre, depending on grain prices. No other unique circumstances exist.

EA Checklist Prepared By:	**Name:**	Tony Nickol	**Date:**	February 18, 2014
	Title:	Land Use Specialist, Conrad Unit, Central Land Office		

V. FINDING

25. ALTERNATIVE SELECTED:

Alternative B (the Proposed action) – Grant Wayne Kolstad Farms Inc. permission to break the expired CRP and tame/native pasture and place it into small grain production.

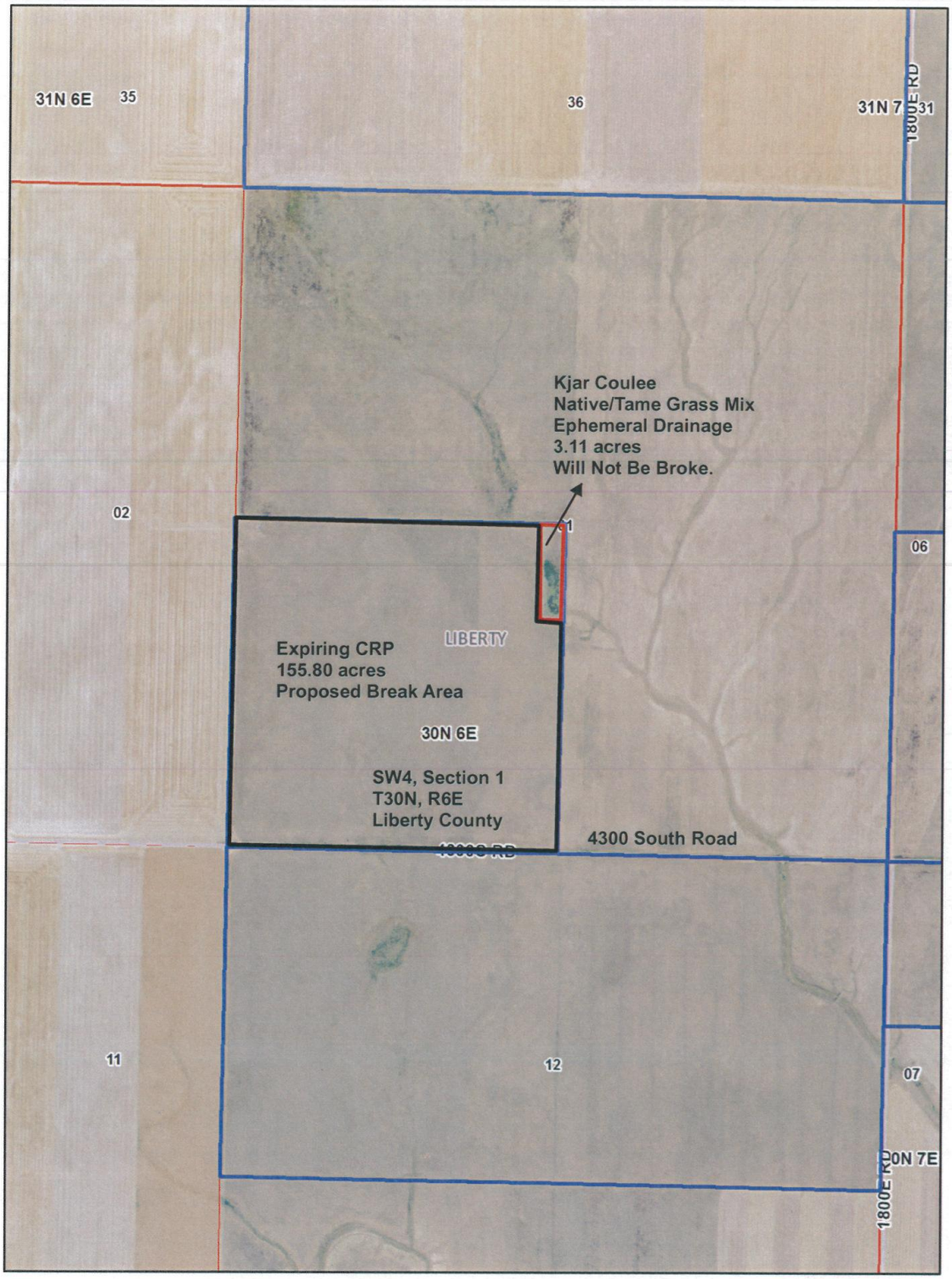
26. SIGNIFICANCE OF POTENTIAL IMPACTS:

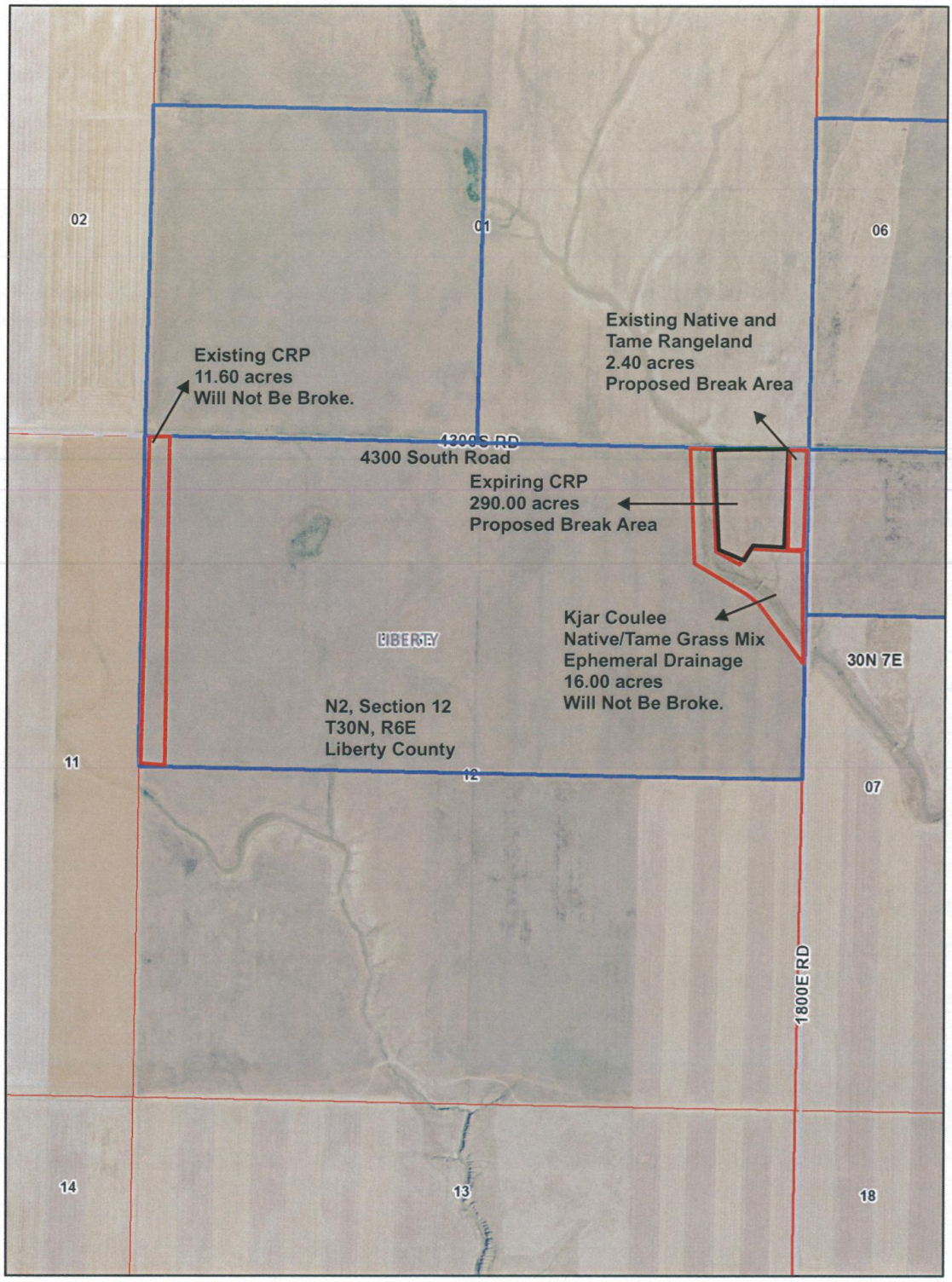
This tract of state land is adjacent to productive farm land. All acres meet current Departmental breaking policy, which indicate that soils are suitable for small grain production under no till farming practices. The lessees must work with FSA and NRCS and obtain a Conservation Plan and comply with all sod busting regulations. Breaking these acres will help meet TLMD objectives by increasing revenue to the school trust. An average of 35-40 bu/acre winter wheat or $20.00 to $30.00 per acre annual return is expected for this acreage. Significant negative impacts are not expected with this break.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

☐ EIS	☐ More Detailed EA	☒ No Further Analysis

EA Checklist Approved By:	**Name:**	Erik Eneboe
	Title:	Conrad Unit Manager, CLO, DNRC
Signature: 	**Date**:	Feb 24, 2014


31N 6E
35
36
31N 7E
31
1800E RD
Kjar Coulee
Native/Tame Grass Mix
Ephemeral Drainage
3.11 acres
Will Not Be Broke.
02
01
06
LIBERTY
Expiring CRP
155.80 acres
Proposed Break Area
30N 6E
SW4, Section 1
T30N, R6E
Liberty County
4300 South Road
11
12
07
30N 7E
1800E RD


02
01
06
Existing CRP
11.60 acres
Will Not Be Broke.
Existing Native and
Tame Rangeland
2.40 acres
Proposed Break Area
4300 South Road
Expiring CRP
290.00 acres
Proposed Break Area
Kjar Coulee
Native/Tame Grass Mix
Ephemeral Drainage
16.00 acres
Will Not Be Broke.
LIBERTY
30N 7E
N2, Section 12
T30N, R6E
Liberty County
11
12
07
1800E RD
14
13
18

Nickol, Tony

From: Jane Holzer [msca@3rivers.net]
Sent: Thursday, February 06, 2014 5:06 PM
To: Nickol, Tony
Subject: Liberty county CRP breaking

Break Request State - Lease #3251 and #3252 in Liberty County

There is no evidence of salinity in the 1995 aerial photos in the immediate area, but the leases were already enrolled in CRP. In order to protect the riparian area, MSCA would caution that an adequate acreage of perennial forage be preserved. It is difficult to assess from maps and photos if the small acreages (3.11 and 16) will be wide enough, but try to have a wide expanse on both sides of the ephemeral stream left in perennial forage. This will guard against erosion and contaminants entering the streambed when high rainfall events occur. Once broken, the lessee would have difficulty re-establishing forage in the riparian area.

Break Request - State Lease #7757 in Liberty County

There is no evidence of salinity in this area. Our concern would be the same in that adequate acreage of perennial forage on the south side of the ephemeral stream should be preserved as a protected riparian area.

Jane Holzer
Program Director
Montana Salinity Control Association
PO Box 909
Conrad, MT 59425
(406) 278-3071
msca@3rivers.net

1